

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Carmen Electra et al.,)	Case No. 5:18-cv-02706-SL
)	
Plaintiffs,)	Judge Sara Lioi
)	
vs.)	
)	
Dreamers Cabaret, LLC et al.,)	
)	
Defendants.)	

Defendants' Motion to Dismiss Counts Two and Three

In accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure, the defendants Dreamers Cabaret, LLC and 1110 Brittain Road, LLC move to dismiss Counts Two and Three in the amended complaint: negligence and unjust enrichment.

As explained more in the attached memorandum in support, which is incorporated here by reference, plaintiffs have failed to state a claim for negligence or unjust enrichment even if their factual allegations are presumed true.

The Court should grant this motion accordingly.

Dated: April 8, 2019

Respectfully submitted,

s/ Matthew J. Cavanagh
Matthew J. Cavanagh (OH 0079522)
MCDONALD HOPKINS LLC
600 Superior Avenue, East, Ste. 2100
Cleveland, Ohio 44114
t 216.348.5400 | f 216.348.5474
mcavanagh@mcdonaldhopkins.com

*Counsel for Defendant
1110 Brittain Road, LLC*

s/ Alan M. Medvick (by consent)
Alan M. Medvick (OH 0081897)
NIEKAMP WEISENSELL
3 Nantucket Bldg.
23 South Main St.
Akron, Ohio 44308
t 330.434.1000
alan@nwm-law.com

*Counsel for Defendant
Dreamers Cabaret, LLC*